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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,507	08/22/2003	Masatoshi Kurokawa	59349.00012	8724
32294	7590	02/23/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			FREAY, CHARLES GRANT	
			ART UNIT	PAPER NUMBER
			3746	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/645,507	Applicant(s) KUROKAWA ET AL.	
	Examiner Charles G Freay	Art Unit 3746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 is/are allowed.
- 6) ☒ Claim(s) 8-10 is/are rejected.
- 7) ☒ Claim(s) 1 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/22/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The disclosure is objected to because of the following informalities: on page 22 line 8 "relates" should be "related" and on page 25 line 8 "fact" should be "face".

Appropriate correction is required.

Claim Objections

Claims 1 and 11 are objected to because of the following informalities:

In claim 1 line 8 and claim 11 line 2 after "divides" "the" should be inserted.

In claim 1 line 8 the phrase "into two regions in vertical direction into an upper bay and ..." is cumbersome. The examiner suggest "into two regions including an upper bay and... .

In claim 11 line 2 the phrase "into two regions into an upper bay and ..." is cumbersome. The examiner suggest "into two regions including an upper bay and... .

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (USPN 3,418,485) in view of Tokar et al (USPN 6,368,374).

Anderson et al disclose a gas turbine power generation system having a single spool gas turbine engine (37, 42, 43, 44, 46, 49), and air intake passageway defined by multiple flow direction changes (see Fig. 2) and including a filter (71). There is also a generator (34), a housing (31) with an openable maintenance face (separate top face 67 of Fig. 2), and the inlet being in the openable maintenance face. Anderson et al do not disclose the intake passageway being a duct that has an air inlet at a plane

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coincident with the of the openable maintenance face and the duct section and the filter-housing section being airtightly joined such that the air intake duct can be taken out through the openable maintenance face as a single unit. Tokar et al disclose an air intake duct/filter assembly for a gas turbine engine power plant having a duct (36, 37) that has an air inlet at a plane coincident with the of an openable maintenance face (38). The duct having a filter (34). And the duct section and the filter-housing section being airtightly joined such that the air intake duct can be taken out through the openable maintenance face as a single unit. At the time of the invention it would have been obvious to one of ordinary skill in the art to use a duct and openable maintenance face as taught by Tokar et al in place of the passageway formed by the series of panels and filters in Anderson et al. As an arrangement would simplify construction and lead to simplified maintenance of the filter. In Tokar see col. 1 lines 10-23 and 52-61). It also would have been obvious to bend duct of Tokar et al a number of times in order to reduce noise as taught by Anderson et al at col. 4 lines 17-27.

Allowable Subject Matter

Claims 1-7 are allowed.

Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art neither discloses nor makes obvious a gas turbine power

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generation system having a housing which encloses the gas turbine, a generator and an intake duct, the housing having openable maintenance faces and a partition that divides the interior space of the housing into two regions, in a vertical direction, into an upper bay and a lower bay such that the engine is installed in the upper bay and the intake duct is installed in the lower bay at a location directly under the engine.

Conclusion

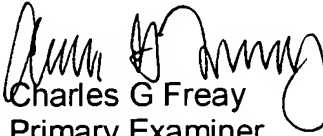
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mitchell, Bons et al and TELEDYNE disclose portable gas turbine power generation systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G Freay whose telephone number is 571-272-4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on 571-272-4834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Charles G Freay
Primary Examiner
Art Unit 3746

CGF
February 19, 2005